

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Richard E. Bruner,
Plaintiff

v.

Case No. 1:11-cv-484

Ohio State Dental Board,
et al.,
Defendants

ORDER

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed August 9, 2011 (Doc. 4).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, we find the Magistrate Judge's Report and Recommendation correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Plaintiff's federal law claims are **dismissed with prejudice**. The Court declines to exercise pendent jurisdiction over plaintiff's state law claims and **dismiss** the state law claims **without prejudice** to refiling in state court.

This Court certifies that pursuant to 28 U.S.C. § 1915(a) an appeal of this Order would not be taken in good faith, and therefore **DENIES** plaintiff leave to appeal *in forma pauperis*. *See Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999),

overruling in part *Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6th Cir. 1997).

Date: December 12, 2011

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court